
V. REMARKS

Claims 10 and 11 are rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement. Claim 10 is canceled and claim 11 is amended. Therefore the rejection as applied thereto is now moot.

Claims 4-7 are rejected under 35 U.S.C. 102(b) as anticipated by Goto (U.S. Patent No. 5,898,659). The rejection is respectfully traversed.

Goto teaches a compatible cartridge for use in a first disk reproducing apparatus having a mounting disk distance and in a second disk reproducing apparatus having a mounting disk distance differing from that of the first disk reproducing apparatus. The compatible cartridge includes a case body encasing a readable and writable disk and shaped in the form of a substantially rectangular housing, the case body having an opening formed therein and a shutter for opening and closing the opening of the case body. The case body has positioning holes for positioning the compatible cartridge at a predetermined position in either of the first and second disk reproducing apparatuses by engaging a positioning pin provided in either of the first and second disk reproducing apparatuses. The first reference faces for holding the compatible cartridge at the predetermined position by contacting with first reference posts provided in the second disk reproducing apparatus. A first pair of second reference faces for interfacing the compatible cartridge with an autochanger in either of the first and second disk reproducing apparatuses. A second pair of second reference faces for interfacing the compatible cartridge with an autoloader in the first disk reproducing apparatus. The first and second pair of second reference faces arranged to be flush with the first reference faces. The compatible cartridge is arranged such that, when installed in the first disk reading apparatus, the readable and writable disk is positioned at a predetermined disk mounting position which is the same as the position at which the readable and writable disk is positioned when installed in the second disk reproducing apparatus.

Claim 4, as amended, is directed to a disk cartridge for installation in a disk recording/reproducing apparatus that includes a chassis with a pair of first positioning pins mounted thereto on respective ones of first height-positioning bases and with a pair of second positioning pins mounted thereto on respective ones of

second height-positioning bases. The first height-positioning bases and the second height-positioning bases are different in height relative to one another. Claim 4 recites that the disk cartridge a disk, a cartridge enclosing the disk, a pair of positioning apertures and a pair of escape apertures. Claim 4 recites that the pair of positioning apertures is formed in the cartridge for accepting respective ones of the first positioning pins positioning the cartridge relative to the chassis of the disk recording/reproducing apparatus such that the cartridge rests in contact with and on the respective ones of the first height-position bases and the pair of escaping apertures are formed in the cartridge for accepting respective ones of the second positioning pins without the cartridge contacting and resting on the second height-positioning bases.

It is respectfully submitted that that the rejection is improper because the applied art fails to teach each element of claim 4 as amended. Specifically, it is respectfully submitted that the applied art fails to teach a pair of positioning apertures formed in the cartridge for accepting respective ones of the first positioning pins positioning the cartridge relative to the chassis of the disk recording/reproducing apparatus such that the cartridge rests in contact with and on the respective ones of the first height-position bases and a pair of escaping apertures formed in the cartridge for accepting respective ones of the second positioning pins without the cartridge contacting and resting on the second height-positioning bases. As a result, it is respectfully submitted that claim 4 is allowable over the applied art.

Claims 5 and 6 depend from claim 4 and include all of the features of claim 4. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 4 is allowable as well as for the features they recite.

Claim 7 is canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

Claims 7-9 and 12 are rejected under 35 U.S.C. 102(b) as anticipated by Omori et al. (JP 5-135465 A). The rejection is respectfully traversed.

Omori teaches a disk cartridge having a generally rectangularly-shaped housing and includes an upper shell and a lower shell connected together to form a disk-receiving compartment. A disk is rotatably mounted between the upper and

lower shells in the disk-receiving compartment. The lower shell includes holes formed therein.

Claim 8, as amended, is directed to disk cartridge that includes a generally rectangularly-shaped housing extending longitudinally and laterally and including an upper shell and a lower shell connected together in a facially opposing manner to form a disk-receiving compartment therebetween and a disk rotatably mounted to and between the upper and lower shells in the disk-receiving compartment for rotation about an axis of rotation. Claim 8 recites that the lower shell includes a pair of position holes and a pair of escape holes formed therein and extending towards the upper shell with a respective one of the position holes and a respective one of the escape holes being positioned adjacent one another to form two sets of adjacent position holes and escape holes with the respective ones of the position holes disposed radially outwardly relative to the axis of rotation of the disk and the respective escape holes. Claim 4 further recites that respective ones of the escape holes having a first cylindrical portion and a second cylindrical portion in communication with the first cylindrical portion with the first cylindrical portion having a first diameter and the second cylindrical portion having a second diameter being smaller than the first diameter.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 8 as amended. Specifically, it is respectfully submitted that the applied art fails to teach that the lower shell includes a pair of position holes and a pair of escape holes formed therein and extending towards the upper shell with a respective one of the position holes and a respective one of the escape holes being positioned adjacent one another to form two sets of adjacent position holes and escape holes with the respective ones of the position holes disposed radially outwardly relative to the axis of rotation of the disk and the respective escape holes. Further, it is respectfully submitted that the applied art fails to teach that respective ones of the escape holes have a first cylindrical portion and a second cylindrical portion in communication with the first cylindrical portion with the first cylindrical portion having a first diameter and the second cylindrical portion having a second diameter being smaller than the first diameter. As a result, it is respectfully submitted that claim 8 is allowable over the applied art.

Claim 9 depends from claim 8 and includes all of the features of claim 8. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 8 is allowable as well as for the features it recites.

Claims 7 and 12 are canceled and therefore the rejection as applied thereto is now moot.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

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Respectfully submitted,

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